

Board of Minerals and Environment
Notice of Public Hearing to Amend Rules

A public hearing will be held via the Digital Dakota Network (DDN) on July 20, 2017, at 10:00 a.m. Central Daylight Time, to consider the adoption and amendment of proposed rules, numbered:

§§ 74:28:21:01; 74:28:21:02; 74:28:22:01; 74:28:23:01; 74:28:24:01; 74:28:25:01; 74:28:25:03; 74:28:25:04;
74:28:25:05; 74:28:26:01; 74:28:27:01; 74:28:28:01; 74:28:28:03; 74:28:28:04; 74:28:28:05;
74:28:30:01; 74:28:33:01

The effect of the rules will be to update the state's existing hazardous waste rules by incorporating updated, codified federal regulations by reference. The state's proposed rules reflect changes made to the federal hazardous waste regulations from July 1, 2012 through June 30, 2016. Once these updates are made, the state's rules will then be substantially the same as the federal hazardous waste regulations. Changes to the rules include establishing procedures for identifying and managing certain hazardous secondary materials destined for recycling; management standards for solvent-contaminated wipes; establishing a framework for the use of electronic manifests; revisions to requirements involving imports and exports of hazardous wastes; and incorporating technical and typographical corrections that were made in the federal regulations.

The reason for updating the state's hazardous waste rules is to continue to ensure that companies generating, transporting, treating, storing or disposing of hazardous waste in South Dakota manage those wastes in a way that is protective of human health and the environment. These proposed rules offer manufacturers the opportunity to recycle materials that might otherwise be considered wastes requiring disposal. The proposed updates also enable the state to keep pace with changes made in the federal hazardous waste regulations.

A list of DDN sites through which the hearing will be held is as follows:

Brookings: South Dakota State University; 8th & Medary Ave., Pugsley Center, Room 203
Pierre: Capitol Building; 500 E. Capitol Ave., Room B12, Studio A
Rapid City: University Center; 4300 Cheyenne Blvd., Room 113
Sioux Falls: University Center; 4801 N. Career Avenue, Room FADM 145
Spearfish: Black Hills State University; 1200 University Street, E.Y. Berry Library, Room LIB0011
Vermillion: University of South Dakota; 414 East Clark, Delzell Education Center, Room 203
Watertown: Department of Environment and Natural Resources; 2001 9th Ave., SW, Suite 500

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Department of Environment and Natural Resources, Waste Management Program, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182. A copy of the draft rules and access to online commenting are also available at: <http://denr.sd.gov/public/default.aspx> Electronic comments and those sent by mail must reach the Department by July 19, 2017 to be considered.

At the hearing, the board will consider all written and oral comments it receives on the proposed rules. The board may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Department of Environment and Natural Resources at 605-773-3153 at least 48 hours before the public hearing to make any necessary arrangements.

Copies of the proposed rules may be obtained without charge by calling Carrie Jacobson at (605) 773-3153 or from the following website: <http://denr.sd.gov/des/wm/hw/hwmainpage.aspx>



Steven M. Pirner, Secretary
Department of Environment and Natural Resources